

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

W.P.NO.1611 OF 2006

Abdul Karim Ahmed Mansuri ..Petitioner

Vs.

The Municipal Corporation of
Gr.Mumbai and Anr. ..Respondents

Mr.Jaideep Mitra with Mr.S.M.Kazi Advocate for
Petitioner
Ms.T.Puranik Advocate for Respondent
...

CORAM: F.I.REBELLO AND
SMT.V.K.TAHILRAMANI, JJ.
DATE : JUNE 22, 2006

P.C.

1. Exhibit-D to the petition, which is notice dated 12.12.1989 issued by the Corporation, shows that structures in respect of which the notice has been issued, has been described as under:

"Remaining portion as shop
A.C.sheet roof,
Brick walls as furniture shop."

2. The issue perhaps may arise if the structure is of brick wall or whether it can be said to be a

temporary or permanent structure. On that premises, the question will arise under which Section of M.R.T.P. Act, the notice has to be issued. Considering the above, it will be open to the petitioner to file whatever additional material he has, before the Competent Officer. The Competent Officer after considering that additional material, may pass appropriate orders in accordance with law.

3. With the above observation, petition stands disposed of. Additional documents to be submitted within ten days from today and till such decision is taken, no action be taken.

[F.I.REBELLO, J.]

[SMT.V.K.TAHILRAMANI, J.]